

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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SHERRI L. LOVE,

Plaintiff,

v.

MEDICAL UNIT E FMWCC, *et al.*,

Defendants.

Case No. 2:20-cv-00525-JAD-EJY

ORDER

Pending before the Court is Plaintiff's Motion for Query. ECF No. 84. Plaintiff's Motion asks the Court to confirm that the operative complaint in this matter is the Third Amended Complaint. The Court confirms this is correct. Plaintiff also asks the Court to confirm who is a defendant in this action. The only defendant served in this matter is Rene Pena. Summonses have not been issued for any other defendant identified in the Third Amended Complaint. This is addressed below. Finally, Plaintiff asks the Court to provide advice regarding the introduction of evidence. The Court will not do so as it is inappropriate for the Court to act as counsel for Plaintiff or otherwise advocate for Plaintiff in this action.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Query (ECF No. 84) is GRANTED in part and DENIED in part.

IT IS FURTHER ORDERED that within **twenty-one (21)** days of the date of this Order the Attorney General for the State of Nevada **must** file a notice with the Court advising whether he will accept service on behalf of the four unserved defendants named in Plaintiff's Third Amended Complaint. The Court notes that Defendant did not oppose the filing of the Third Amended Complaint. *See* ECF No. 61. The four unserved, named defendants include Gabrielle Garcia-Najera, Dr. Kabatay, Dr. Sanchez, and Nurse Malita.

The Attorney General's notice **must** specifically advise the Court and Plaintiff of: (a) the names of the unserved defendants for whom it accepts service; (b) the names of the unserved

1 defendants for whom it does not accept service, and (c) the names of the unserved defendants for
2 whom it is filing the last-known-address information under seal.

3 As to any of the unserved, named defendant for whom the Attorney General's Office
4 cannot accept service, the Attorney General's Office **must** file under seal, and not serve Plaintiff,
5 the last known addresses of those unserved defendants for whom it has such information. If the
6 last known address of a defendant is a post office box, the Attorney General's Office shall attempt
7 to obtain and provide the last known physical address.

8 IT IS FURTHER ORDERED that for each defendant as to whom the Attorney General's
9 Office has not provided the defendant's last-known-address, Plaintiff **must** file a notice with the
10 Court providing the full name and address for the defendant to the best of her ability to do so.

11 IT IS FURTHER ORDERED that if the Attorney General's Office accepts service of
12 process for a named defendant, each such defendant **must** file and serve an answer or other
13 response to the Third Amended Complaint (ECF No. 66) within sixty (60) days from the date of
14 this Order.

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16 DATED this 16th day of March, 2022.

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19 ELAYNA J. YOUCHAK
20 UNITED STATES MAGISTRATE JUDGE
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